

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

First Name Unknown (FNU) Last Name Unknown
(LNU) a/k/a Floriselda AGUILARCase No. 5:19-MJ-161 (TWD)
[UNDER SEAL]*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2019 in the county of Cayuga in the
Northern District of New York, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 1546(b)(3)

Fraud and misuse of visas, permits, and other documents

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

William Saunders, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/18/2019
*Judge's signature*City and state: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

William M. Saunders, being duly sworn, deposes and says that:

1. I am a Deportation Officer with the United States Department of Homeland Security, hereafter referred to as DHS, Immigration and Customs Enforcement, hereafter referred to as ICE. I have been so employed since the creation of DHS in March 2003. Prior to the creation of DHS, I was employed by the former Immigration and Naturalization Service under the United States Department of Justice since January of 1998.

2. As a part of my duties at ICE, I have investigated violations of the Immigration and Nationality Act and other violations of the United States Code, including, Title 18, United States Code, Section 1546 and Title 42, United States Code, Section 408.

3. I make this affidavit in support of a Criminal Complaint charging First Name Unknown (FNU) Last Name Unknown (LNU) a/k/a Floriselda AGUILAR with a violation of Title 18, United States Code, Section 1546(b)(3), making a false attestation.

4. The statements in this affidavit are based upon my own knowledge, my review of ICE's official records, and upon information that I obtained from other law enforcement officers involved with this investigation. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning this investigation. I have set forth only facts that I believe are necessary to establish probable cause for the violations stated above.

5. In late January 2019, your affiant received information that an individual, presenting herself as Floriselda AGUILAR, was employed by Dickman Farms LLC in Auburn, New York. The source of information is known to your affiant, and has provided reliable and credible information on

numerous occasions in the past. The source of information had reason to believe that the person posing as Floriselda AGUILAR was using a fictitious name, and had presented false documents to obtain employment at Dickman Farms LLC.

6. On February 4, 2019, your affiant contacted a designated official at Dickman Farms LLC and requested and obtained a copy of the Employment Eligibility Verification Form (Form I-9) completed by "Floriselda AGUILAR". A review of the form provided indicated that the person who completed the form attested, on or about January 7, 2019, under penalty of perjury, that her name was "Floriselda AGUILAR", that her Social Security Number was ***-**-3081, and that she was a Lawful Permanent Resident. The I-9 form also indicates that the person who completed the form presented an Alien Registration Card (I-551), bearing alien registration number *** ** 764, as proof of her identity and her eligibility to work in the United States. Your affiant spoke with a representative of Dickman Farms LLC, and in sum and substance determined that if a representative of Dickman Farms LLC assists an employee in completing an I-9 form, the representative of Dickman Farms LLC will complete the Preparer and/or Translator Certification section. It should be noted that this section is not completed with regards to the I-9 relating to the form supplied by FNU LNU a/k/a Floriselda AGUILAR.


7. Your affiant obtained a photograph, attached hereto as Exhibit A, of the person representing themselves as Floriselda AGUILAR. A representative of Dickman Farms LLC has confirmed that the person in the photograph in Exhibit A is the same person presently presenting herself as Floriselda AGUILAR. On March 6, 2019, your affiant confirmed with a representative of Dickman Farms LLC, that the person presently presenting herself as Floriselda AGUILAR is still employed with Dickman Farms LLC.

8. According to record checks conducted with the Department of Homeland Security indices, no records were located for "Floriselda AGUILAR" indicating a lawful entry into the United States, or having applied for, or been granted, authorization to work in the United States.

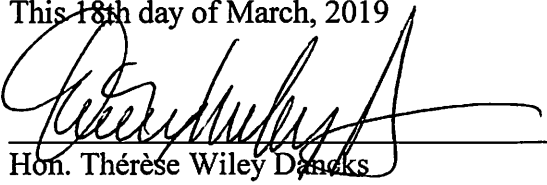
9. According to record checks conducted with the Social Security Administration-Office of the Inspector General (OIG), social security number ***-**-3081 is a valid social security number but is not assigned to "Floriselda AGUILAR".

10. According to record checks conducted with the Department of Homeland Security indices, A# *** ** 764 is a valid alien registration number but is not assigned to "Floriselda AGUILAR".

11. Based on the above referenced immigration record checks, your affiant respectfully submits that there is probable cause to believe that the person posing as Floriselda AGUILAR made false attestations in order to gain employment, in violation of Title 18, United States Code, Section 1546(b)(3).



William M. Saunders
Deportation Officer
Immigration and Customs Enforcement

Sworn to before me
This 18th day of March, 2019


Hon. Thérèse Wiley Daniels
United States Magistrate Judge

EXHIBIT A

